

## **AGENDA**

### **TUSAYAN PLANNING AND ZONING COMMISSION**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, March 26, 2013 @ 6:00pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Planning and Zoning Commission and to the general public that the commission will hold a meeting open to the public on Tuesday, March 26, 2013 at the Tusayan Town Hall Building. The commission may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting Town Manager (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

### **PLANNING AND ZONING COMMISSION AGENDA**

#### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

#### **2. ROLL CALL**

**CHAIR ROBERT GOSSARD  
VICE CHAIR BETH HEARNE  
COMMISSIONER SANDRA ANGAT  
COMMISSIONER CLAYANN COOK  
COUNCILMEMBER CRAIG SANDERSON**

#### **3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

***Members of the public may address the Commission on items not on the printed agenda. The Commission may not discuss, consider or act upon any matter raised during public comment. Comments will be limited to three minutes per person.***

#### **4. CONSENT AGENDA**

**Approval of the Minutes of the Workshop, Public Hearing, and Regular Meeting held on 9/25/12 and the Regular Meetings held on 1/22/13 and 2/26/13**

#### **5. OPEN PUBLIC HEARING**

**A. Public Hearing on Case No. CUP 2013-01, a request to amend a Conditional Use Permit for a theater in the CG-10,000 (Commercial General) and Parking Zoning Districts to permit a tour operator with accessory outdoor vehicle storage; Resolution No. 2013-03**

- B. Public Hearing on Case No. CUP 2013-02, a request to amend a Conditional Use Permit for a wastewater treatment plant in the General Zone to allow the replacement of a single family residence with a reduced setback, a carport and covered area; Resolution No. 2013-04

**6. ACTION ITEMS**

- A. Consideration and possible approval of Case No. CUP 2013-01, a request to amend a Conditional Use Permit for a theater in the CG-10,000 (Commercial General) and Parking Zoning Districts to permit a tour operator with accessory outdoor vehicle storage; Resolution No. 2013-03
- B. Consideration and possible approval of Case No. CUP 2013-02, a request to amend a Conditional Use Permit for a wastewater treatment plant in the General Zone to allow the replacement of a single family residence with a reduced setback, a carport, and covered area; Resolution No. 2013-04

**7. FUTURE AGENDA ITEMS**

**8. MOTION TO ADJOURN**

**CERTIFICATION OF POSTING OF NOTICE**

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this 21<sup>st</sup> day of March, 2013 at \_\_\_\_\_ pm in accordance with the statement filed by the Tusayan Town Council.

DATED this 21<sup>st</sup> day of March, 2013

\_\_\_\_\_  
Signature of person posting the agenda

ITEM NO. 4

# **TUSAYAN PLANNING AND ZONING COMMISSION**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, September 25, 2012 @ 5:00 P.M.

TUSAYAN TOWN HALL

845 Mustang Drive, Tusayan, Arizona

## **PLANNING AND ZONING COMMISSION WORKSHOP (5:00PM) AND PUBLIC HEARING & REGULAR MEETING (6:00PM) SUMMARIZED MINUTES**

### **WORKSHOP 5:00PM**

#### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Gossard called the meeting to order at 5:00 pm.

#### **2. ROLL CALL**

Upon roll call, the following were present:

**CHAIR ROBERT GOSSARD  
COMMISSIONER SANDI ANGAT  
COMMISSIONER CLAYANN COOK**

**VICE CHAIR BETH HEARNE - excused  
COUNCILMEMBER CRAIG SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager  
Richard Turner, Professional Planner  
Laura Matthews, Interim Town Clerk

#### **3. PRESENTATION ON PLANNING BASICS**

Richard Turner, Tusayan Town Planner, gave a presentation on Planning Basics covering:

- History
- Benefits
  - o For homeowners
  - o Developers
  - o Utility and Service providers
  - o Businesses
- General Plan
- Zoning
- Zoning (Code Enforcement)
- Planning & Zoning Commission
- Board of Adjustment and Hearing Officer
- Subdivision Regulations
- Job of Planning & Zoning Commissioner

**The Workshop adjourned at 5:30pm.**



**PUBLIC HEARING & REGULAR MEETING 6:00PM**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Gossard called the meeting to order at 6:00pm.

**2. ROLL CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

Upon roll call, the following were present:

**CHAIR ROBERT GOSSARD  
COMMISSIONER SANDI ANGAT  
COMMISSIONER CLAYANN COOK**

**VICE CHAIR BETH HEARNE  
COUNCILMEMBER CRAIG SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager  
Richard Turner, Professional Planner  
Laura Matthews, Interim Town Clerk

**3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

None

**4. CONSENT AGENDA**

None

**5. OPEN THE PUBLIC HEARING**

Vice Chair Hearne made a motion to open the Public Hearing on Items A and B listed below. Commissioner Angat seconded the motion and it passed unanimously.

**A. Continue the Public Hearing on comprehensive revisions to the Town of  
Tusayan Zoning ordinance. Case No. ZOA2012-01 (Ordinance No. 2012-04)**

**B. Continue the Public Hearing on deleting Design Review Overlay Zoning. Case  
No. ZOA2012-02 (Ordinance No. 2012-05)**

Richard Turner, Tusayan Town Planner, reviewed his Staff Report in which he recommends that the proposed update of the Tusayan Zoning Ordinance, including the most recent changes, be approved by the Commission. He also recommends that the deletion of the Design Review Overlay Zoning be approved.

Carolyn Olberholster of the Rose Law Group, on behalf of Red Feather Properties spoke in favor of Alternate Chapter 11. She requested modification to language to allow up to 3 dwelling units per lot. Mr. Turner stated that he could make modifications to the language.

The Commission discussed:

- Conditional Use Permits for bars
- Convenience Markets (with and without gas pumps)
- Theaters (traffic and noise)

- Duplexes/Triplexes
- Tour Operators
  - John Tatham - owner of a tour company operating in Tusayan for the last 19 years, expressed his concern about the possibility of the streets being lined with advertising by way of tour vehicles. He requested that the Commission not allow display vehicles on streets.
  - Robb Baldosky - owner of RobbCo operating in Tusayan expressed his support of Pink Jeep Tours working in Tusayan. He stated that they have created jobs and pay taxes in Tusayan.

Since there was no additional public comment, Commissioner Hearne made a motion to close the Public Hearing on Items 4A and 4B. Councilmember Sanderson seconded the motion and it passed unanimously.

Councilmember Sanderson made a motion to open the Public Hearing on Items 4C. Commissioner Hearne seconded the motion and it passed unanimously. Commission Chair Gossard and Commissioner Cook recused themselves from this discussion since they are both employed at the property in question.

**C. Public Hearing and Consideration of Case No. CUP 2012-01, a request for a Conditional Use Permit for an outdoor dining area, four on-site employee housing units, and approval of a parking waiver (a reduction in the number of parking spaces) in conjunction with an existing restaurant in the CG-10,000 (Commercial General) Zone**

Richard Turner, Tusayan Town Planner, reviewed his Staff Report in which he recommends that the Conditional Use Permit, CUP 2012-01 be approved by the Commission with certain requirements and conditions.

Carolyn Oberholtzer of the Rose Law Group, on behalf of Red Feather Properties, spoke of concerns of:

- Noise from the patio (She requested the patio be closed and music stopped at 10pm and that the number of people on the patio be restricted.)
- Parking (She stated that there may not be enough parking. If a parking waiver is granted, she requested that it only be granted for one year and that it be re-evaluated before it could be renewed.)

Clayann Cook, speaking as the applicant, not as a Commissioner, stated that there are 179 seats in dining rooms and theater/steakhouse. She stated that the patio would strictly be for dining with no loud music or bar. It would mainly be for overflow customers. The kitchen closes at 10pm and would not take dinner orders after that time.

Ms. Oberholtzer stated that if the patio is just for dining, they do not oppose the request, as long as it closes at 10pm and the parking waiver requires an automatic review after one year.

**5. CLOSE THE PUBLIC HEARING**

There being no additional public comment, Commissioner Angat made a motion to close the Public Hearing on Item 4C. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

The Commission took a five-minute break then reconvened and was rejoined by Chair Gossard and Commissioner Cook.

## **6. ACTION ITEMS**

### **A. Consideration and possible approval of comprehensive revisions to the Town of Tusayan Zoning Ordinance. Case No. ZOA2012-01 (Ordinance No. 2012-04)**

Commissioner Hearne made a motion to approve the comprehensive revisions to the Tusayan Zoning Ordinance. Commissioner Angat seconded the motion and it passed on unanimous vote.

### **B. Consideration and possible approval of deleting Design Review Overlay Zoning. Case No. ZOA2012-02 (Ordinance No. 2012-05)**

Councilmember Sanderson made a motion to approve the deletion of the Design Review Overlay Zoning. Commissioner Cook seconded the motion and it passed on unanimous vote.

**The Commission moved to Item E:**

### **E. Consideration and possible action on a request by the National Geographic Visitor's Center for a similar use determination for, a) a tour business with outdoor tour vehicle parking in the CG-10,000 Zoning District (permitted or conditional use), and b) a tour business with outdoor tour vehicle parking as a temporary use in the CG-10,000 Zoning District**

Richard Turner, Tusayan Town Planner, reviewed his Staff Report and outlined his recommendations that the outdoor parking of tour vehicles not be allowed as permitted or conditional use since the request is not allowed by the Zoning Ordinance.

John Tatham spoke in favor of following staff recommendations.

Robb Baldosky spoke on behalf of Pink Jeeps and the National Geographic Visitors Center. He stated that the Pink Jeeps are parked in legal parking spaces and are licensed by the State of Arizona.

There was discussion of whether the issue may be covered under the Sign Ordinance which would allow the Jeeps (as signs) to be parked as long as they are not in the same place for 24 hours or more.

Robb Baldosky and Janet Rosener from the National Geographic Visitors Center stated that the Jeeps are moved during tours and are not in the same spot for 24 hours. They believe they are not currently in violation of the Ordinance.

Councilmember Sanderson voiced concern about 7 parking spaces being designated for Pink Jeep Tours.

Commissioner Hearne made a motion to follow the Staff recommendation on Item 6E. Commissioner Cook seconded the motion and it passed on unanimous vote.

**F. Consideration and possible action on a request by the National Geographic Visitor's Center for a temporary use permit for a tour business with outdoor tour vehicle parking in the CG-10,000 Zoning District, TUP2012-04, Assessor's Parcel No. 502-17-012-E**

Commissioner Hearne made a motion to remove Item 6F from the Agenda.  
Councilmember Sanderson seconded the motion and it passed on unanimous vote.

Commission Chair Gossard and Commissioner Cook recused themselves from the discussion and vote on Items 6C and 6D since they are both employed at the property in question.

**C. Consideration and possible approval of Case No. CUP 2012-01, a request for a Conditional Use Permit for an outdoor dining area, four on-site employee housing units, and approval of a parking waiver (a reduction in the number of parking spaces) in conjunction with an existing restaurant in the CG-10,000 (Commercial General) Zone**

Councilmember Sanderson made a motion to approve Item 6C providing seating of guests stops at 10pm and that the parking waiver will be reviewed after one year at which time the waiver could be revoked. Commissioner Angat seconded the motion and it passed on unanimous vote.

**D. Consideration and possible action on Case No. DRO 2012-04, a request for approval of a site plan for a patio adjoining an existing restaurant in the CG-10,000 (Commercial General) Zone pursuant to the Design Review Overlay Zoning regulations**

Richard Turner, Tusayan Town Planner, reviewed his Staff Report and his recommendation that the patio be approved with the stipulation that the color of the patio match or be compatible with the current color of the building and the Design Review Overlay guidelines and approved by the Town prior to installation.

Councilmember Sanderson made a motion to approve Item 6D as per the Staff recommendation. Commissioner Angat seconded the motion and it passed on unanimous vote.

**7. FUTURE AGENDA ITEMS**

Item 7 will be moved to the meeting scheduled on September 25, 2012.

**8. MOTION TO ADJOURN**

At 9:28pm Councilmember Sanderson made a motion to adjourn the meeting.  
Commissioner Angat seconded the motion and it passed on unanimous vote.

**CHAIR ROBERT GOSSARD**

**Date**

**ATTEST:**

\_\_\_\_\_  
**TOWN CLERK**

**CERTIFICATION**

State of Arizona       )  
                                  ) ss.  
Coconino County       )

I, Melissa Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Planning and Zoning Commission of the Town of Tusayan held on September 25, 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 28<sup>th</sup> day of February, 2013.

\_\_\_\_\_  
**TOWN CLERK**

# **TUSAYAN PLANNING AND ZONING COMMISSION**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, January 22, 2013 @ 6:00 P.M.

TUSAYAN TOWN HALL

845 Mustang Drive, Tusayan, Arizona

## **PLANNING AND ZONING COMMISSION MEETING SUMMARIZED MINUTES**

### **1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Gossard called the meeting to order at 6:05 pm and the Pledge of Allegiance was recited.

### **2. ROLL CALL**

Upon roll call, the following were present:

**CHAIR ROBERT GOSSARD**  
**VICE CHAIR BETH HEARNE** - absent  
**COMMISSIONER SANDI ANGAT** - excused  
**COMMISSIONER CLAYANN COOK** - absent  
**COUNCILMEMBER CRAIG SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager  
Richard Turner, Town Planner  
Melissa Malone, Town Clerk

### **3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

None

### **4. CONSENT AGENDA**

A quorum was not present so no action was taken

### **5. ACTION ITEMS**

None

### **6. DISCUSSION ITEMS**

#### **A. Presentation on Impact of Zoning Ordinance Adoption, Nonconforming Uses (Commission Training)**

Town Planner Richard Turner gave an overview of his memorandum to the Commission and there was a discussion and question and answer session about nonconforming uses. Mr. Turner explained that very few nonconforming uses are expected based on the changes which were made. Councilmember Bill Fitzgerald attended the meeting and also participated in the question and answer portion of the discussion.

**B. Update on the General Plan Process**

Planner Richard Turner stated that approval of the Public Participation Plan is on the agenda for the Town Council tomorrow night (1/23/13). We are conducting interviews of people within the Town and those are going well. Manager Ryall also stated that there will be discussion at the Town Council meeting tomorrow regarding direction for assembling the General Plan Technical Review Committee.

**7. FUTURE AGENDA ITEMS**

None

**8. THE MEETING ADJOURNED**

\_\_\_\_\_  
**CHAIR ROBERT GOSSARD**      **Date**

**ATTEST:**

\_\_\_\_\_  
**TOWN CLERK**

**CERTIFICATION**

State of Arizona      )  
                                  ) ss.  
Coconino County      )

I, Melissa Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Planning and Zoning Commission of the Town of Tusayan held on January 22, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 22<sup>nd</sup> day of January, 2013.

\_\_\_\_\_  
**TOWN CLERK**

**TUSAYAN PLANNING AND ZONING COMMISSION**

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, February 26, 2013 @ 6:00 P.M.

TUSAYAN TOWN HALL

845 Mustang Drive, Tusayan, Arizona

**PLANNING AND ZONING COMMISSION MEETING SUMMARIZED MINUTES**

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Gossard called the meeting to order at 6:02 pm and the Pledge of Allegiance was recited.

**2. ROLL CALL**

Upon roll call, the following were present:

**CHAIR ROBERT GOSSARD  
VICE CHAIR BETH HEARNE  
COMMISSIONER SANDI ANGAT  
COMMISSIONER CLAYANN COOK  
COUNCILMEMBER CRAIG SANDERSON**

Also present were:

Tami Ryall, Interim Town Manager  
Richard Turner, Town Planner  
Melissa Malone, Town Clerk

**3. CONSENT AGENDA**

**Approval of the Minutes of the Public Hearing and Regular Meeting held on 8/28/12 and the Regular Meeting held on 10/23/12**

Councilmember Sanderson made a motion to approve the Consent Agenda. Commissioner Hearne seconded the motion and it passed on unanimous vote.

**4. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

None

**5. ACTION ITEMS**

- A. Consideration and possible action on an application from the National Geographic Visitors Center and Robb Baldosky for a Temporary Use Permit for banner signs in the CG-10,000 Zoning District, TUP 2013-01; Assessor's Parcel No. 502-17-012-E**

Town Planner Richard Turner reviewed his staff report on this topic and recommended approval of the Temporary Use Permit (TUP). Manager Ryall explained that the delay in application for design review and expiration of the previous TUP was due to delays in adopting the Zoning Ordinance.



Commissioner Hearne made a motion to approve the Temporary Use Permit. Councilmember Sanderson seconded the motion and it passed on unanimous vote.

**B. Consideration and possible action on an application from the National Geographic Visitors Center and Robb Baldosky for Design Review and approval of 3 permanent signs in the CG10,000 Zoning District, DR2013-01; Assessor's Parcel No. 502-17-012-E**

Planner Turner reviewed his staff report on this topic and recommended approval of the Application with the stipulation that some changes in the signage be made. Janet Rosener from the National Geographic Visitor Center presented the Commission with an alternate sign to meet the stipulation. Mr. Turner stated that the alternate sign design meets all requirements and he has no objectives.

Commissioner Angat made a motion to approve the new sign design. Commissioner Hearne seconded the motion and it passed on unanimous vote.

**C. Consideration and possible action on an application from Loven Contracting, Inc. and Jason Thibedeau on behalf of the Grand Canyon Squire Inn for Design Review and approval of 2 external elevators in the CH-10,000 Zoning District, DR2013-02; Assessor's Parcel No. 502-17-008-A**

Commissioner Hearne recused herself from this item since she is employed by the Grand Canyon Squire Inn.

Mr. Turner reviewed his staff report on this topic and recommended approval of the construction of the elevators as requested.

Councilmember Sanderson made a motion to approve the elevator construction design. Commissioner Cook seconded the motion and it passed on unanimous vote.

Commissioner Hearne rejoined the meeting.

**6. FUTURE AGENDA ITEMS**

Manager Ryall presented the Commission with a calendar of the remainder of 2013 noting holiday conflicts with standing Commission meetings.

Councilmember Sanderson asked to move the meeting scheduled on June 25 to June 18. Commissioner Cook requested that the meeting scheduled on August 27 to August 20. Manager Ryall requested to move the meeting scheduled on July 23 to July 30. The Commission agreed to the calendar as presented with the changes listed above.

**7. MOTION TO ADJOURN**

Commissioner Hearne made a motion to adjourn the meeting at 6:35pm. Commissioner Angat seconded the motion and it passed on unanimous vote.

CHAIR ROBERT GOSSARD \_\_\_\_\_ Date

ATTEST:

\_\_\_\_\_  
TOWN CLERK

CERTIFICATION

State of Arizona       )  
                                  ) ss.  
Coconino County       )

I, Melissa Malone, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Planning and Zoning Commission of the Town of Tusayan held on February 26, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 27<sup>th</sup> day of February, 2013

\_\_\_\_\_  
TOWN CLERK

ITEM NO. 5A & 6A

# TOWN OF TUSAYAN STAFF REPORT

**Date:** March 26, 2013

**To:** Tusayan Planning and Zoning Commission

**From:** Richard Turner, AICP, Town Planner

**Subject:** Public Hearing and Consideration of CUP2013-01, Request to Amend a Conditional Use Permit for a Theater in the CG-10,000 and Parking Zoning Districts to Permit a Tour Operator with Accessory Outdoor Vehicle Storage; Resolution No. 2013-03

**ISSUE:** Should the Planning and Zoning Commission approve an amendment to the conditional use permit for the I-MAX Theater to allow a tour operator (Pink Jeeps) with outdoor vehicle storage.

**BACKGROUND:** The property in question has been developed with a theater, restaurant and retail shop on approximately 2.9 acres on the west side of Highway 64. The property is zoned CG-10,000 (Commercial General) and Parking. That portion zoned Parking is at the back of the property. The area north of the site is also zoned CG-10,000 and is used as a parking lot. Land to the west is zoned Open Space/Conservation and is part of the Kaibab National Forest. Property on the east side of the highway has been developed with commercial businesses in the CG-10,000 Zoning District. The community Fire Station and a retail store are situated south of the property in CG-10,000 Zoning.

A search of the County's records revealed that a conditional use permit for a theater was approved on this property under PZ-CUP-82-015 in 1982. More recent applications on this property have been for temporary and permanent signage.

The recently updated Zoning Ordinance includes the proposed use, "tour operator with associated outdoor storage or activity", as a use allowed in the CG-10,000 Zoning District subject to the approval of a conditional use permit. Since there are no additional structures involved with this use, design review is not required. All aspects of this use may be considered by the Commission in the review of this application for a conditional use permit.

The applicant, National Geographic Visitors Center, is represented by Robb Baldosky. The proposal is to allow a jeep tour operator to sell tours in the lobby of the main building. Seven of the tour vehicles will be parked in front of the building, along the highway. The balance of the tour vehicles will be parked in spaces at the northwest corner of the site. The applicant has submitted a narrative report, site plan and photos that outline the proposal, a copy of which is included with this report.

The application was transmitted to the local School District, Sanitary District, ADOT and Fire Department for review and comment. We received comments from the Fire Department on February 12, 2013, a copy of this correspondence is included with this report. The application was revised to address many of the comments of staff and the Fire Department.

## DISCUSSION AND ANALYSIS:

\*The applicant has presented a strong business case for approval of the application. He refers to the additional employees that would be hired, the benefits to the visitors' experience and the benefit to the local economy from longer visitor stays. He adds that the community would benefit from "intangibles" that the Pink Jeep operation would bring to Tusayan. These benefits should be considered in light of the visual impact to the public of the proposed vehicle parking along the highway.

\*The applicant has provided an analysis of the parking situation on the second page of his narrative report. The parking spaces that would be used by the proposed tour operator, its vehicles, employees and customers can be accommodated on this site. Available tour bus parking greatly reduces the amount of automobile parking spaces otherwise required for the uses on this property.

\*The tour vehicles are distinctive in their coloring and are painted with the name of the company. As such, they are considered vehicle signs. Such signage is addressed in Section 16.4.I of the Zoning Ordinance as follows:

1. Signs painted on or attached to vehicles parked on public or private premises that are displayed in view of vehicular or pedestrian traffic for a period in excess of twenty-four (24) hours shall be prohibited.

In the review of conditional use permits the Planning and Zoning Commission has the authority to waive certain requirements of the Zoning Ordinance (Section 20.3-6). One of those requirements that may be waived is the sign regulations. The Commission may wish to consider allowing vehicles to remain on the site in excess of 24 hours. The community lacks appropriate areas to store vehicles. Denial of overnight parking of the tour vehicles would mean that they would need to be stored overnight elsewhere in the community. That other location is not likely to be preferred over this site.

\*According to the Zoning Ordinance, Section 20.3-7, the Planning and Zoning Commission must make the following findings before granting a conditional use permit:

A. That the proposed location of the conditional use is in accord with the objectives of this Ordinance and the purpose of the zone in which the site is located.

*The purposes of the commercial zoning districts are as follows:*

*A. To provide appropriately located areas for office uses, retail stores, service establishments, and wholesale business, offering commodities and services required by residents of the Town and its surrounding market area.*

*B. To encourage office and commercial uses to congregate for the convenience of the public and for a mutually beneficial relationship to each other.*

*C. To provide adequate space to meet the needs of modern commercial development, including off-street parking and loading areas.*

*D. To minimize traffic congestion and to avoid the overloading of utilities.*

*E. To protect residential and other commercial properties from noise, odor, smoke, unsightliness, and other objectionable influences incidental to commercial uses.*

*F. To promote high standards of site planning architecture and landscape design for office and commercial developments within the Town.*

*The application meets most of these criteria. The Commission should determine whether the parking of seven tour vehicles along the highway would be considered "unsightly".*

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

*The use is located in an appropriate location. The conditions of operation are acceptable. No adverse impact on properties or improvements in the vicinity are anticipated. Again, the only issue is the visual impact of the seven parked tour vehicles in front of the theater.*

C. That the proposed conditional use will comply with each of the applicable provisions of this Ordinance, except for approved variances.

*With the possible exception of the vehicle sign regulation, which may be waived, the proposal meets all of the requirements of the Zoning Ordinance.*

D. That the proposed conditional use is consistent with and conforms to the goals, objectives and policies of the Tusayan Area Plan.

*The proposal before the Commission is consistent with most of the goals and policies contained in the Tusayan Area Plan. The following policies may be considered inconsistent with the visual nature of the proposed vehicle parking along the highway.*

*"Tusayan shall work toward developing and maintaining building design and landscaping standards which will create a favorable impression on tourists. The standards should be consistent with and complementary to the unique location of Tusayan at the gateway to the Grand Canyon National Park."*

*"New commercial development, as well as redevelopment, shall conform to design standards that achieve the vision of an attractive gateway community."*

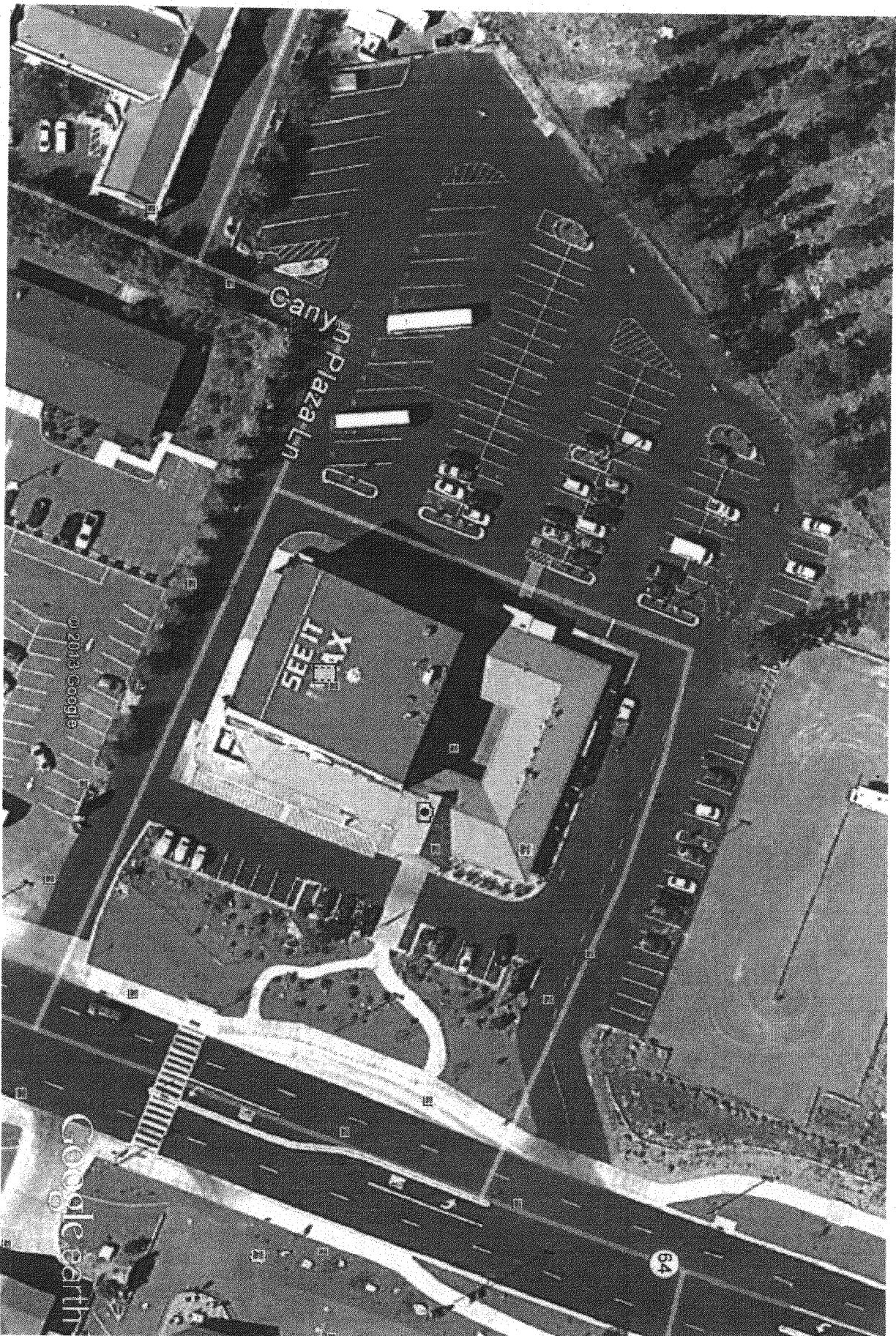
\*The application is acceptable in most respects. The only objection is in regard to the number of tour vehicles parked in front of the theater building, along Highway 64. Staff recommends that a single vehicle be parked at this location. This would be more in keeping with the tenants of the Tusayan Area Plan. The remaining tour vehicles should be parked in the vicinity of the other tour vehicles, in the northwest portion of the property.

**FISCAL IMPACT:** There is no fiscal impact to the Town with regard to this application.

**RECOMMENDATION:**

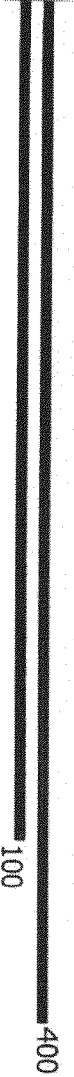
It is recommended that the Planning and Zoning Commission approve Resolution No. 2013-03 which will approve this request by the National Geographic Visitor Center, CUP2013-01, to amend a conditional use permit for a theater in the CG-10,000 and Parking Zoning Districts to permit a tour operator with accessory outdoor vehicle storage and grants a waiver of the sign regulations.

**Attachments:** Aerial Photograph, Application, Narrative Report, Site Plan, Photographs, E-Mail from Tusayan Fire Chief, Resolution No. 2013-03, Proposition 207 Waiver form



Google earth

feet  
meters



Google earth



# TOWN OF TUSAYAN

Richard L. Turner, Mayor  
 3600 North Highway 101, Suite 100  
 Tusayan, AZ 86023-3309  
 Phone: (928) 607-4597 Fax: (928) 607-4564

## CONDITIONAL USE PERMIT APPLICATION

### PROPERTY OWNER

Name: Destination Cinema  
 Mailing Address: 1142 Highland Ave., Suite B  
Manhattan Beach, CA 90266  
 Phone/Fax: 310-810-1138 / 310-802-1139  
 E-Mail: jrosener@ngccanyon.com

### APPLICANT (if not the property owner)

Name: National Geographic Visitors Center  
 Mailing Address: PO Box 3309, 450 State Rt 64  
Grand Canyon, AZ 86023-3309  
 Contact Person: Robb Baldosky  
 Phone: 928-607-4597 Fax: 928-607-4564  
 Email: rbaldosky@ngccanyon.com

### PROPERTY INFORMATION

Legal Description (attach additional sheets if necessary):  
Attached  
 Assessor's Parcel #: 502-17-015-1  
 Subdivision: See attached  
 Unit #: See attached Lot #: See attached  
 Address/Location: 450 State Rt 64  
Grand Canyon, AZ 86023  
 Existing Zoning: C-110000  
 Existing Land Use: Commercial  
 Lot Size: 126565.00

### CONDITIONAL USE PERMIT REQUEST

Please provide a brief description of the request:  
Request to amend current CUP to allow for a  
four operator.  
See attached narrative

### SUBMITTAL CHECKLIST

- ☐ Pre-application meeting with a staff planner
- ☐ Date met with staff for pre-application: \_\_\_\_\_
- ☒ A citizen participation plan (See attached guidelines)
- ☒ A non-refundable filing fee (See attached guidelines)
- ☒ A handwritten narrative describing the request and performance to the findings for a conditional use permit. Include the requested time limit of the CUP and justification of any waivers requested from Zoning Ordinance (See attached guidelines)
- ☒ A typewritten list of names and addresses of all property owners within 300 feet of subject property
- ☒ Fifteen copies of all plans and drawings as indicated by the staff planner at the pre-application meeting (See attached guidelines)
- All materials must be folded to fit in a legal-size file (8 1/2" x 14") and labeled so that the applicant's name and project location are visible

### CERTIFICATION & SIGNATURE

Submission of this application constitutes consent of the applicant in granting the Department of Community Development access to the subject property during the course of project review. No further consent or notice shall be required.

I hereby certify that the information in this application is correct and agree to abide by the regulations of this jurisdiction.

Signature of Applicant: \_\_\_\_\_

Date: 1/31/13

Signature of Property Owner, if not the applicant: \_\_\_\_\_

Date: \_\_\_\_\_

### COMMISSION ACTION

☐ Approved with Conditions (see attachments) ☐ Denied

Resolution #: \_\_\_\_\_ Date: \_\_\_\_\_

### BOARD ACTION

☐ Approved with Conditions (see attachments) ☐ Denied

Ordinance #: \_\_\_\_\_ Date: \_\_\_\_\_

### OFFICE USE ONLY

Received By: R Turner Date: 1/31/13

Receipt #: \_\_\_\_\_ Fee: \_\_\_\_\_

Case #: CUP 2013-01

Related Cases: \_\_\_\_\_

Appeal Filed By: \_\_\_\_\_ Date: \_\_\_\_\_

Receipt #: \_\_\_\_\_ Fee: \_\_\_\_\_

**Conditional Use Permit Narrative**  
**(Revised 2/27/13)**

Grand Canyon Theater Venture *dba* National Geographic Visitors Center (NGVC) entered into a contract with a Tour Operator to operate out of NGVC's facility. We are requesting a modification to our current Conditional Use Permit (CUP) allowing tour operators to operate from our facility and stage vehicles at the NGVC facility. This request is based on an allowance in the new Town of Tusayan Ordinances under Section 11: Commercial Zones, Section 11.1 - Permitted and Conditional Uses, Part B - General Commercial Uses, Item 40 Tour Operator With Associated Outdoor Storage or Activity.

The current plan is to have tour jeeps staged at our facility. Marketing studies indicate that it is crucial for business to strategically display guide vehicles to vehicular and/or pedestrian traffic. In this case, seven (7) vehicles will be parked in front of the facility at the location shown on the attached site plan. The additional vehicles are to be staged in the rear of the property parking area. By parking the jeeps in front of the NGVC an awareness of ground tours is created in the eyes of the consumer.

How the business operates:

- Tour Operator sales desk is located in the NGVC's main lobby.
- Individuals/groups visiting the facility can purchase a guided tour of the Grand Canyon South Rim's many attractions.
- All sales are conducted entirely within the building; once tickets are purchased the clients are escorted to the guide vehicle where they depart from the property to their tour destination; upon completion of the tour the clients are then returned to the facility to depart from there.
- All guide vehicles are commercial vehicles and adhere to ADOT requirements; all vehicles are used daily and parked in designated "approved" parking spaces.
- No major vehicle maintenance (ie. oil changes, fueling, major vehicle work, etc.) is to be done on the property. Once a month the vehicles are taken to Flagstaff for servicing. Daily cleaning of trash, cleaning windows, rinsing dust off of vehicles and restocking of supplies for tours will be done onsite at the vehicle clean and prep area (shown on map).

NGVC has performed a comparison to past tour operations at the NGVC and found that Pink Jeep Tours has outperformed the past tour operators by approximately 340%. Based on this comparison, having a tour operation available to the public is filling an obvious need for the NGVC and the Town of Tusayan. Additionally, having the tour operators jeeps parked in front of the NGVC has definitely contributed to the success to date. The number of tours sold to date by Pink Jeep Tours just in the past 45 days clearly indicates that there is a tourist demand for ground type tours in the area.

Pink Jeep Tours will employ approximately 20 Guides, with jeeps available for tours. In addition to the guides Pink Jeep Tours will employ three (3) Managers, and six (6) to

seven (7) Customer Service Representatives (CSR's). That will account for approximately 30 new residents in the Town of Tusayan.

The established growth strategy for tourism in Tusayan is to extend the length of stay. The length of stay for tourists in Tusayan will increase with more options to tourists for things to do in Tusayan. Pink Jeep Tours is a first class operator that is a definite complement to the NGVC and the Town of Tusayan. NGVC is taking innovative steps to improve its business and to protect its ongoing viability in the Town of Tusayan.

In closing, Pink Jeep Tours and the NGVC bring many tangibles to the community (revenue, support of community activities, spending money on food, gas, etc.) but also bring intangibles. Things like community spirit, and an outstanding service to visitors. The bottom line is that Pink Jeep Tours is wanted by the tourists and is a great partner to NGVC and the Town of Tusayan. Pink jeep Tours has a Town of Tusayan business license and is generating revenue to the Town of Tusayan. Tour operations are an essential part of Tusayan's history and economic growth and need to be recognized for their importance to the town's future growth.

Current parking at the NGVC is as follows:

132 Car Spaces

17 Bus Spaces or (16 cars per bus space = 272 car spaces)

Total number of spaces available = 404 parking spaces

Lot 12D (north of NGVC Lot 12E) is used for RV's and overflow parking.

Retail General area is 5,851 sq ft and requires 58 parking spaces

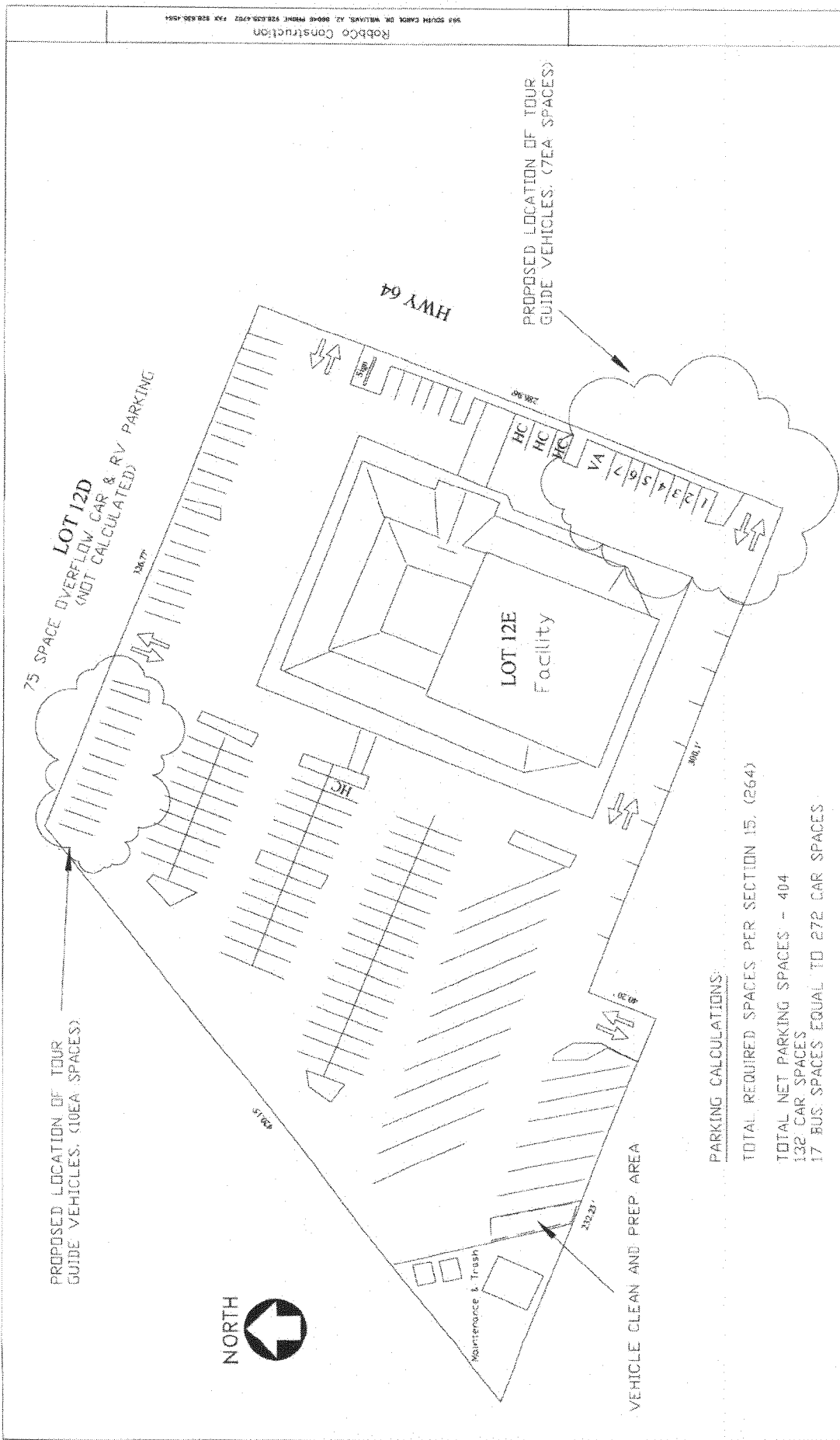
Restaurant area is 4,471 sq ft and requires 44 parking spaces

Theater seating is 487 seats and requires 162 parking spaces

Total spaces required under Section 15, subsection 15.2B = 264 spaces

As the NGVC currently has 404 spaces available for parking, adding the Pink Jeep Tours vehicles does not compromise the spaces we have available.

We ask that a two-year term be applied to this Conditional Use Permit.



PROPOSED LOCATION OF TOUR  
GUIDE VEHICLES. (10EA SPACES)

LOT 12D  
75 SPACE DIVERFLOW CAR & RV PARKING  
(NOT CALCULATED)



NORTH

HWY 64

Maintenance & Trash

VEHICLE CLEAN AND PREP AREA

LOT 12E  
Facility

PROPOSED LOCATION OF TOUR  
GUIDE VEHICLES. (7EA SPACES)

PARKING CALCULATIONS:

TOTAL REQUIRED SPACES PER SECTION 15. (264)

TOTAL NET PARKING SPACES - 404

132 CAR SPACES

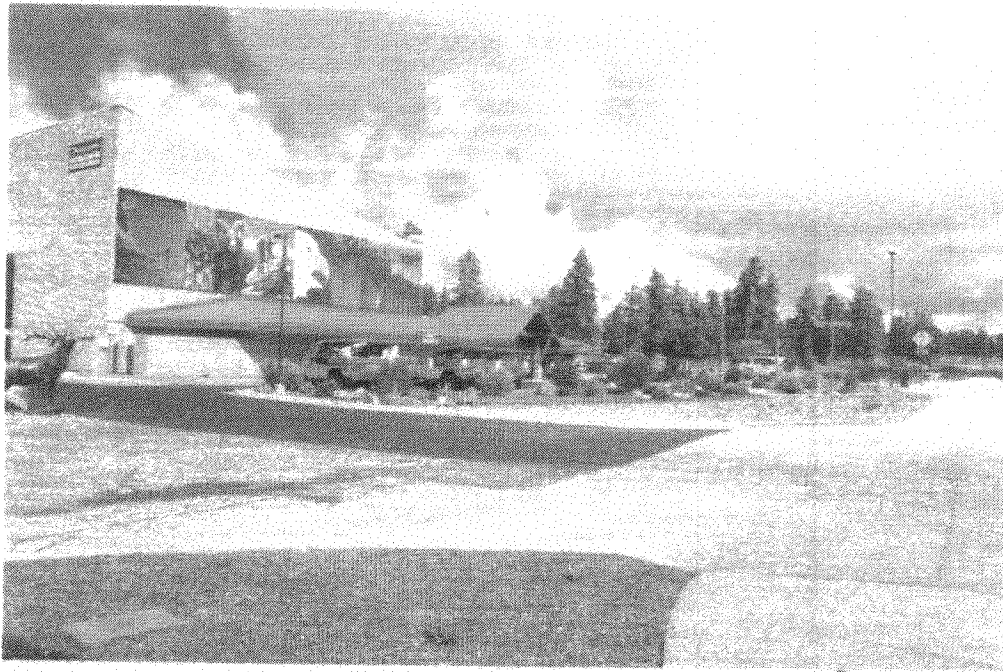
17 BUS SPACES EQUAL TO 272 CAR SPACES

		NATIONAL 2/20/13	
PROJECT NO. 502-17-012E		SHEET NO. 1 OF 1	
DATE 11/11/12		SCALE 1" = 100'	
DRAWN BY J. R. Stueck		CHECKED BY J. R. Stueck	
PROJECT NO. 502-17-012E		SHEET NO. 1 OF 1	
DATE 11/11/12		SCALE 1" = 100'	
DRAWN BY J. R. Stueck		CHECKED BY J. R. Stueck	

National Geographic Visitor Center

Site Plan

APN: 502-17-012E





**Richard Turner**

---

**From:** "TUSAYAN FIRE DEPT Owner" <tfdgc@msn.com>  
**To:** <richard.turner@cox.net>  
**Sent:** Tuesday, February 12, 2013 9:22 AM  
**Subject:** RE: CUP2013-01 Pink Jeeps

Richard,

I really don't have any comments, just some questions?

What fuels type are in these vehicles, propane, diesel, gas?

Also wondering where the designated parking area is in the back?

We have some fire hydrant issues if the parking is in the Southwest corner, or by the propane tanks on the west side.

Thanks for letting me comment.

Robert Evans  
Tusayan Fire chief

----- Forwarded email -----  
**From:** richard.turner@cox.net  
**To:** tfdgc@msn.com  
**CC:** tusayantownmanager@gmail.com  
**Subject:** CUP2013-01 Pink Jeeps  
**Date:** Fri, 8 Feb 2013 17:13:56 -0700

Dear Mr. Evans:

The Town has received the above attached application for a conditional use permit to allow a tour operator with associated parking of jeeps on the National Geographic Visitors Center property. Please review the application and provide me with any comments or concerns you may have by February 22nd. You may reply to [richard.turner@cox.net](mailto:richard.turner@cox.net).

Please let me know if you have any questions.

Richard Turner, AICP  
Town Planner  
480.766.9567

3/19/2013

Application No. \_\_\_\_\_

**TOWN OF TUSAYAN**

**AGREEMENT TO WAIVE CLAIMS FOR DIMINUTION IN VALUE**

**PURSUANT TO A.R.S. 12-1134**

I/We, \_\_\_\_\_, ("Owner") am/are all of the owner(s) of real property ("Property") generally located at \_\_\_\_\_, consisting of approximately \_\_\_\_\_ acres, as shown in the evidence of ownership (Exhibit A) and is legally described and shown on the map in Exhibit B, both of which are attached to this Agreement.

The Property is subject to the land use laws of the Town of Tusayan, Arizona. For purposes of this Waiver, "land use law" shall be defined as set forth in A.R.S. 12-1136.

I/We have requested that the Town take/approve the land use action ("Requested Action") as set forth in Exhibit C, which is attached to this Agreement.

I/We acknowledge that as the request is processed for approval, changes may be made to the details and requirements for approval of the request. Some of these changes may materially alter the request, so that the final approval may be substantially different than originally requested. I/We understand and agree that execution of an additional waiver will be required for approval if the request is altered.

I/We acknowledge that the Requested Action may alter my/our rights to use, divide, sell or possess our Property, and that, pursuant to A.R.S. 12-1134, as the owner of property directly regulated by a land use law, I/We may be entitled to compensation from the Town for diminution of the value in the property if the action I/We have requested from the Town reduces the fair market value of the above described property.

By signing this Agreement, I/We hereby agree to waive any and all claims for diminution in the value for the Property which may arise pursuant to A.R.S. 12-1134 as a result of the Town's actions, including but not limited to approvals, denials or conditions of approvals with respect to the above described Requested Action.

I/We hereby further understand that the Town is acting in reliance upon my/our representations in this waiver.



Application No. \_\_\_\_\_  
Waiver of Claims for Diminution in Value  
Signature Page

\_\_\_\_\_  
Property Owner

Date: \_\_\_\_\_

By Its \_\_\_\_\_

STATE OF ARIZONA            )  
  ) ss.  
County of Maricopa         )

SUBSCRIBED AND SWORN before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

## RESOLUTION NO. 2013-03

A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF TUSAYAN, ARIZONA, GRANTING AN AMENDMENT OF A CONDITIONAL USE PERMIT FOR A THEATER TO ALLOW A TOUR OPERATOR WITH ACCESSORY OUTDOOR VEHICLE STORAGE

**WHEREAS**, a conditional use permit for a theater was previously approved on the subject property by Coconino County (PZ-CUP-82-015) on July 17, 1982; and

**WHEREAS**, application CUP2013-01 was filed on January 31, 2013 to amend the existing conditional use permit to allow a tour operator with accessory outdoor vehicle storage; and

**WHEREAS**, the Planning and Zoning Commission of the Town of Tusayan has held a duly noticed public hearing on CUP2013-01 on March 26, 2013; and

**WHEREAS**, with the modifications provided in the conditions of approval, the Planning and Zoning Commission of the Town of Tusayan has determined that the findings for granting an amendment of a conditional use permit have been met;

**NOW, THEREFORE, BE IT RESOLVED** that the Tusayan Planning and Zoning Commission approves application, Case No. CUP2013-01, to amend a conditional use permit for a theater to allow a tour operator with accessory outdoor vehicle storage subject to the following findings and conditions:

- a. That the proposed location of the conditional use is in accord with the objectives of this Ordinance and the purpose of the zone in which the site is located.
- b. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- c. That the proposed conditional use will comply with each of the applicable provisions of this Ordinance.
- d. That the proposed conditional use is consistent with and conforms to the goals, objectives and policies of the Tusayan Area Plan.
- e. That this amendment shall expire two years from the date of approval of this application by the Town. An application to renew the Conditional Use Permit is required to be submitted prior to that date.
- f. Approval of a waiver of the sign regulations to allow a single vehicle sign in view of vehicular or pedestrian traffic for a period in excess of twenty-four(24) hours.
- g. Only one tour vehicle shall be parked for longer than one hour along the Highway 64 frontage. All other tour vehicles shall be parked in parking spaces in the northwest portion of the site.
- h. Compliance with the site plan and narrative report dated revised February 27, 2013.
- i. Execution of a Proposition 207 Waiver.

**PASSED AND ADOPTED BY** the Chairman and Members of Planning and Zoning Commission of the Town of Tusayan, March 26, 2013.

**FOR THE PLANNING & ZONING COMMISSION**

---

Robert Gossard, Chairman

**REVIEWED BY:**

---

Tami Ryall, Interim Town Manager

**ATTESTED TO:**

---

Melissa A. Malone, Town Clerk

**APPROVED AS TO FORM:**

---

Bill Sims, Town Attorney

**ITEM NO. 5B & 6B**

# TOWN OF TUSAYAN STAFF REPORT

**Date:** March 26, 2013

**To:** Tusayan Planning and Zoning Commission

**From:** Richard Turner, AICP, Town Planner

**Subject:** Public Hearing and Consideration of CUP2013-02, Request to Amend Conditional Use Permit for Wastewater Treatment Plant in the General Zone; Resolution No. 2013-04

**ISSUE:** Should the Planning and Zoning Commission approve an amendment to the conditional use permit for the community wastewater treatment plant to allow the replacement of a single family residence with a reduced setback. A carport and covered area are also proposed.

**BACKGROUND:** The property in question is an existing, operating wastewater treatment plant located on 8.17 acres at the west end of town. Coconino Wash runs from east to west along the southern edge of the property. The wash has been channelized to protect the facilities in the event of a flood. Two employee residences are located on the property. Most of the surrounding property is Forest Service land. Canyon Pines Mobile Home Park is located southeast of the facility.

Subject property is in the General Zoning District. On May 4, 2011 the Town Council approved Resolution No. 2011-05-04-01 which renewed the Conditional Use Permit (CUP) for a wastewater treatment plant and accessory structures on this site (CUP-10-052). The existing conditional use permit expires in 2030. On March 26, 2013, the Planning and Zoning Commission approved DRO2012-03, a request for design review approval for a storage shed on the northeast side of the property.

Design review approval for this proposal is not required. Single family dwellings are not subject to design review approval. This application, to amend the conditional use permit was necessary due to the proposed reduced setback (7 feet where 20 feet is required).

The applicant, Robert Petzoldt, on behalf of the owner, South Grand Canyon Sanitary District, proposes to replace an existing residence (mobile home) on the property. The applicant's site plan shows the new 30X54 manufactured home to be located 7 feet from the east property line. A covered area and carport (one structure) will be located adjacent to the new home. Access to the new carport will be by way of a gravel driveway that runs southwest from the main access road.

**DISCUSSION AND ANALYSIS:** An error was made in locating the existing mobile home residence shown north of the new home location on the applicant's site plan. The existing mobile home is located over the east property line. If this application is approved, the applicant has stated that the existing mobile home will be removed from the property.

The Applicant's site plan shows a seven foot setback from the east property line. The Zoning Ordinance (General Zoning District) requires a 20 foot setback at this location. In discussing this with the applicant,

he has verbally agreed to a 10 foot setback. The Commission should confirm this with the applicant at this hearing. The Zoning Ordinance empowers the Planning and Zoning Commission to grant waivers of many development standards including setbacks in the consideration of conditional use permits (Section 20.3-6).

All other zoning districts that permit single family homes allow a 10 foot or less side setback with the exception of the RS-36,000 Zoning District (20 feet). Considering the proposed location of the new manufactured home and the location of the wash, to the south and east, it is doubtful that the future use and enjoyment of adjacent property would be adversely impacted by a 10 foot setback for the new residence at this location.

The proposed new manufactured home will be a natural sandstone color. It will be attached to a permanent foundation. Elevation drawings were submitted with the application and are included with this report.

The Planning and Zoning Commission must make the following findings before granting a conditional use permit:

A. That the proposed location of the conditional use is in accord with the objectives of this Ordinance and the purpose of the zone in which the site is located.

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

C. That the proposed conditional use will comply with each of the applicable provisions of this Ordinance, except for approved variances.

D. That the proposed conditional use is consistent with and conforms to the goals, objectives and policies of the Tusayan Area Plan.

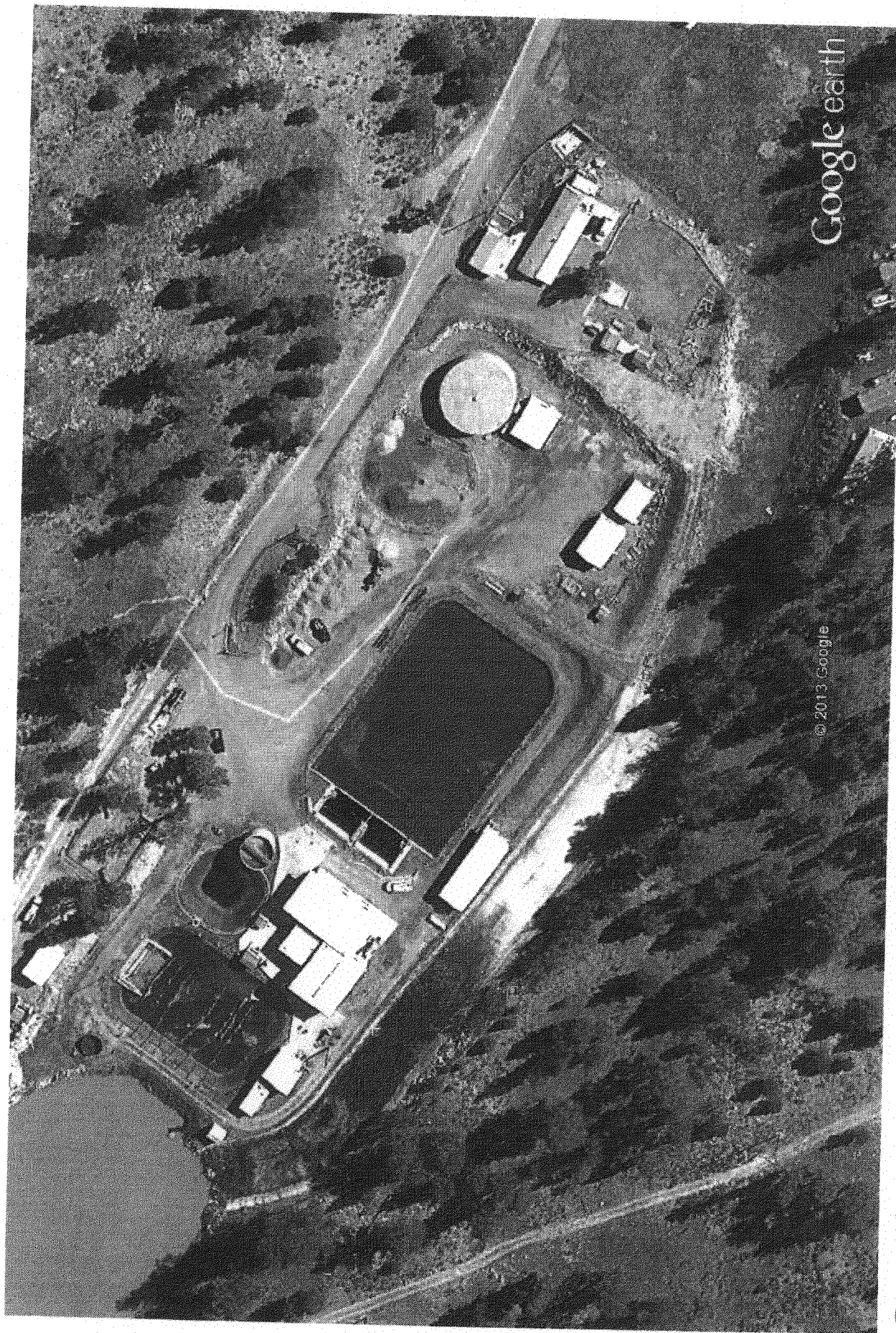
The proposed amendment to the conditional use permit would appear to satisfy each of these criteria.

**FISCAL IMPACT:** There is no fiscal impact to the Town with regard to this application.

**RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission approve Resolution No. 2013-04 which will approve this request by Robert Petzoldt, CUP2013-02, to amend a conditional use permit for a wastewater treatment plant in the General Zoning District to permit the replacement of a single family residence with accessory structures and grants a waiver of the side setback requirement.

**Attachments:** Aerial Photograph, Applicants Vicinity Map, Application, Site Plan and Elevation Drawings, One Page Narrative Regarding the Proposal dated February 21, 2013, Resolution No. 2013-04, Proposition 207 Waiver



Google earth

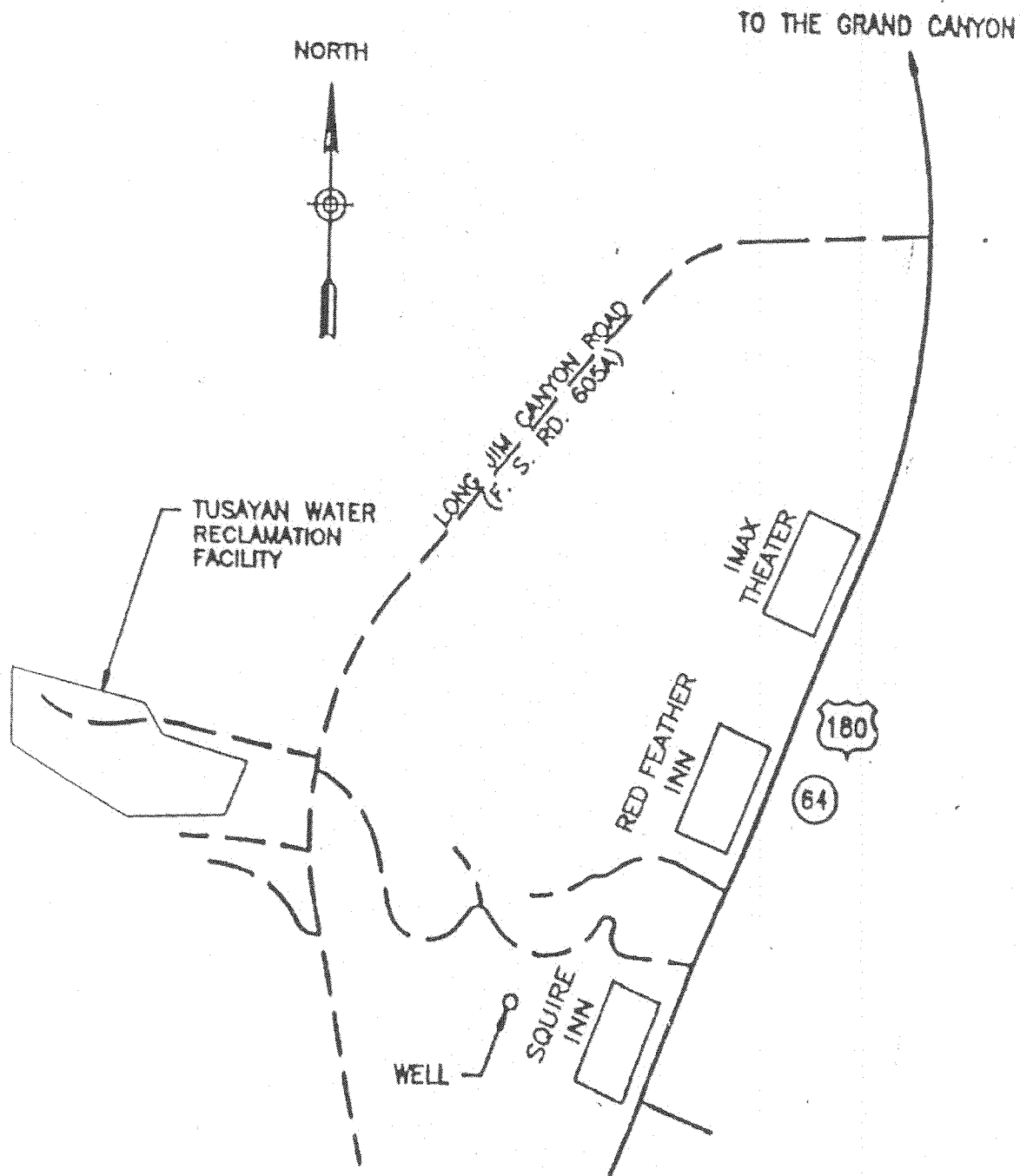
© 2013 Google

Google earth

feet  
meters



(8)





# TOWN OF TUSAYAN

Contact information  
Willdan Engineering

P (602) 395-7532  
F (602) 870-7601

E (richard.turner@cox.net)  
(ganderson@willdan.com)

## CONDITIONAL USE PERMIT APPLICATION

### PROPERTY OWNER

Name SOUTH GRAND CANYON SANITARY DISTRICT  
Mailing Address PO Box 3055  
GRAND CANYON AZ 86023  
Phone/Fax 928-638-0906 / SAME  
E-Mail SGCSD 2000 @ YAHOO.COM

### APPLICANT (if not the property owner)

Name ROBERT PETZOLDT  
Mailing Address PO Box 3055  
TUSAYAN AZ 86023  
Contact Person \_\_\_\_\_  
Phone 928-638-0906 Fax SAME  
Email SAME

### PROPERTY INFORMATION

Legal Description (attach additional sheets if necessary) \_\_\_\_\_  
Assessor's Parcel # 502  
520-17-0203  
Subdivision \_\_\_\_\_  
Unit # \_\_\_\_\_ Lot # \_\_\_\_\_  
Address/Location 550 RECLAIM LANE  
GRAND CANYON AZ 86023  
Existing Zoning \_\_\_\_\_  
Existing Land Use \_\_\_\_\_  
Lot Size \_\_\_\_\_

### CONDITIONAL USE PERMIT REQUEST

Please provide a brief description of the request.  
Replacement of employee mobile home  
in alternate location within the  
existing yard.

### SUBMITTAL CHECKLIST

- ☐ Pre-application meeting with a staff planner
  - ☐ Date met with staff for pre-application \_\_\_\_\_
  - ☐ A citizen participation plan. (See attached guidelines)
  - ☐ A non-refundable filing fee. (See attached guidelines)
  - ☐ A typewritten narrative describing the request and conformance to the findings for a conditional use permit. Include the requested time limit of the CUP and justification of any waivers requested from Zoning Ordinance (See attached guidelines)
  - ☐ A typewritten list of names and addresses of all property owners within 300 feet of subject property.
  - ☐ Fifteen copies of all plans and drawings as indicated by the staff planner at the pre-application meeting. (See attached guidelines)
- All materials must be folded to fit in a legal-size file (8"x14") and labeled so that the applicant's name and project location are visible.

### CERTIFICATION & SIGNATURE

Submittal of this application constitutes consent of the applicant in granting the Department of Community Development access to the subject property during the course of project review. No further consent or notice shall be required. I hereby certify that the information in this application is correct and agree to abide by the regulations of this jurisdiction.

Signature of Applicant \_\_\_\_\_

Date 2/19/13

Signature of Property Owner (if not the applicant) \_\_\_\_\_

Date \_\_\_\_\_

### COMMISSION ACTION

☐ Approved with Conditions (see attachments) ☐ Denied

Resolution # \_\_\_\_\_ Date \_\_\_\_\_

### BOARD ACTION

☐ Approved with Conditions (see attachments) ☐ Denied

Ordinance # \_\_\_\_\_ Date \_\_\_\_\_

### OFFICE USE ONLY

Received By \_\_\_\_\_ Date \_\_\_\_\_

Receipt # \_\_\_\_\_ Fee \_\_\_\_\_

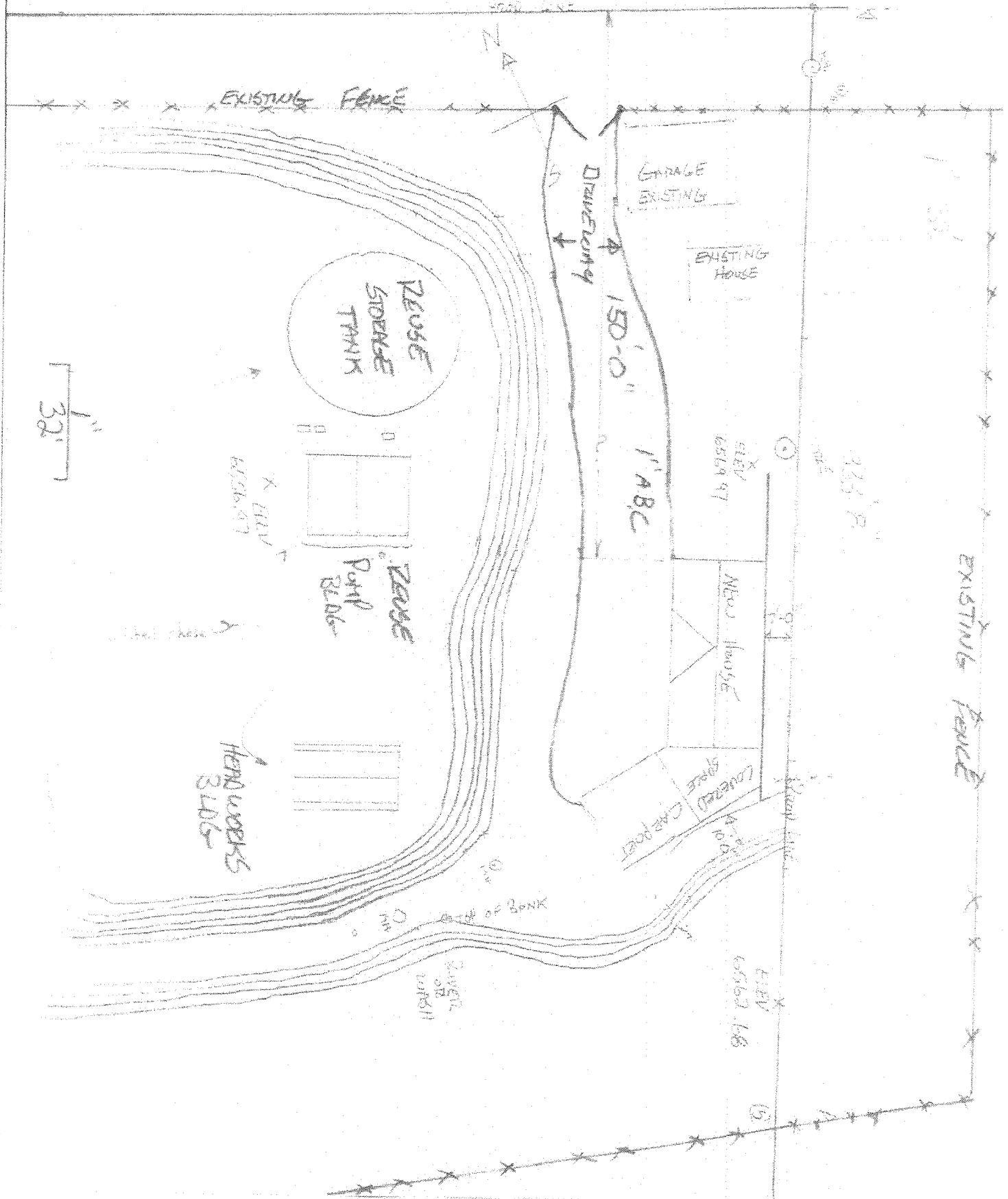
Case # \_\_\_\_\_

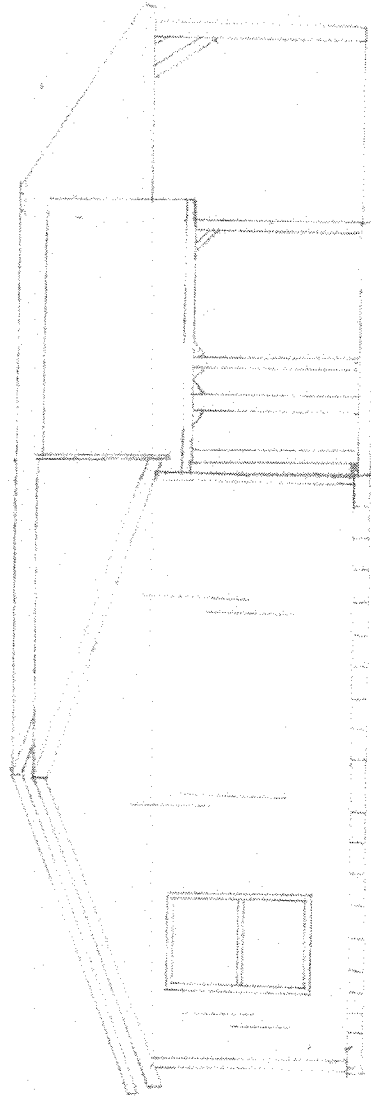
Related Cases \_\_\_\_\_

Appeal Filed By \_\_\_\_\_ Date \_\_\_\_\_

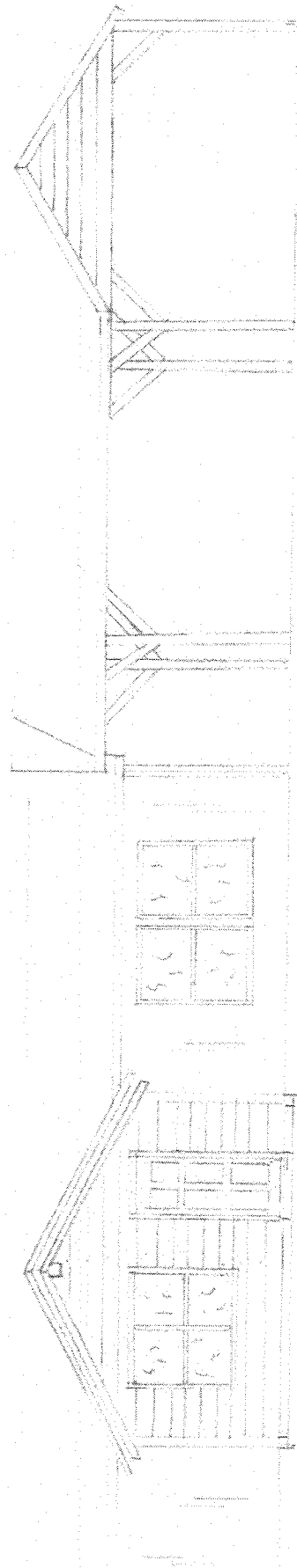
Receipt # \_\_\_\_\_ Fee \_\_\_\_\_

Please provide a title for this site plan. **EMPLOYEE HOUSING #1**

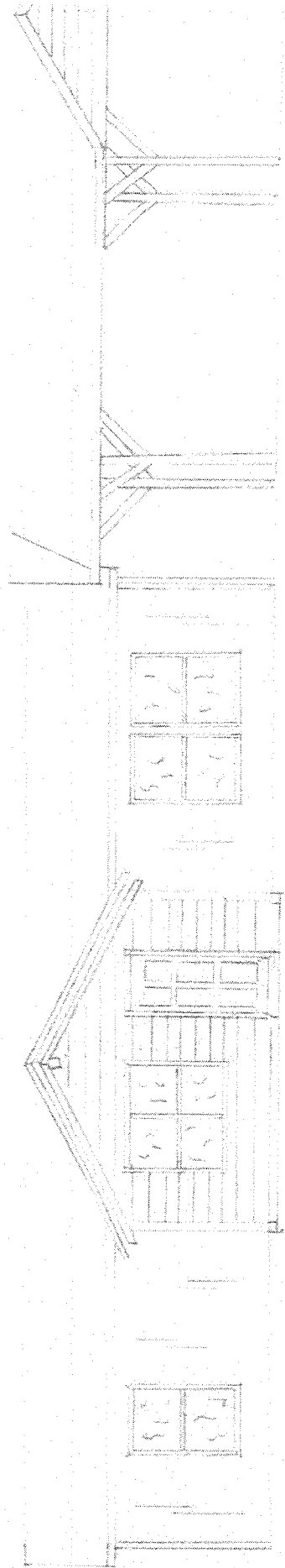




1/8" = 1'-0" NORTH ELEV



WEST ELEV



WEST ELEV

10'-10"

**South Grand Canyon  
Sanitary District**

PO Box 3055  
Grand Canyon, AZ 86023  
928-638-0906 Phone/Fax

February 21, 2013

Richard Turner, AICP  
Willdan Engineering  
7500 North Dreamy Draw Drive  
Suite 130  
Phoenix, Arizona 85020

Re: SGCSO CUP Amendment / Replacement of Employee Housing

Richard:

Per your request we're providing a narrative regarding the replacement of the employee living quarters. I'll respond to each item as listed on the email dated 2/20/13. The response is as follows:

- a. The new manufactured home will be a double-wide 30'x54'. It will have a 4/12 pitched roof with architectural / dimensional shingles. The color of the manufactured home will be a natural sandstone.
- b. The new home will be a manufactured home placed on a permanent foundation.
- c. As stated, the manufactured home will be 30'x54'. The carports / covered area will have matching shingles with a 4/12 pitch and be approx 600 ft/sq. The covered entry area will be approx 240 ft/sq and will have a matching shingle with a 4/12 pitch. The covered entry area will match up to the dormer portion of the manufactured home. Both of the above-mentioned structures will be free standing.
- d. Regarding the garage and old mobile home: The garage will remain in it's current location. The old mobile home will be sold and removed from the property after the installation of the new manufactured home is complete.

If you have any questions, please feel free to contact me at the above number.

Sincerely,

Robert Petzoldt  
Plant Superintendent

Application No. \_\_\_\_\_

**TOWN OF TUSAYAN**

**AGREEMENT TO WAIVE CLAIMS FOR DIMINUTION IN VALUE**

**PURSUANT TO A.R.S. 12-1134**

I/We, \_\_\_\_\_, ("Owner") am/are all of the owner(s) of real property ("Property") generally located at \_\_\_\_\_, consisting of approximately \_\_\_\_\_ acres, as shown in the evidence of ownership (Exhibit A) and is legally described and shown on the map in Exhibit B, both of which are attached to this Agreement.

The Property is subject to the land use laws of the Town of Tusayan, Arizona. For purposes of this Waiver, "land use law" shall be defined as set forth in A.R.S. 12-1136.

I/We have requested that the Town take/approve the land use action ("Requested Action") as set forth in Exhibit C, which is attached to this Agreement.

I/We acknowledge that as the request is processed for approval, changes may be made to the details and requirements for approval of the request. Some of these changes may materially alter the request, so that the final approval may be substantially different than originally requested. I/We understand and agree that execution of an additional waiver will be required for approval if the request is altered.

I/We acknowledge that the Requested Action may alter my/our rights to use, divide, sell or possess our Property, and that, pursuant to A.R.S 12-1134, as the owner of property directly regulated by a land use law, I/We may be entitled to compensation from the Town for diminution of the value in the property if the action I/We have requested from the Town reduces the fair market value of the above described property.

By signing this Agreement, I/We hereby agree to waive any and all claims for diminution in the value for the Property which may arise pursuant to A.R.S 12-1134 as a result of the Town's actions, including but not limited to approvals, denials or conditions of approvals with respect to the above described Requested Action.

I/We hereby further understand that the Town is acting in reliance upon my/our representations in this waiver.

Application No. \_\_\_\_\_  
Waiver of Claims for Diminution in Value  
Signature Page

\_\_\_\_\_  
Property Owner

Date: \_\_\_\_\_

By Its \_\_\_\_\_

STATE OF ARIZONA            )  
  ) ss.  
County of Maricopa         )

SUBSCRIBED AND SWORN before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_



## **RESOLUTION NO. 2013-04**

A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF TUSAYAN, ARIZONA, GRANTING AN AMENDMENT OF A CONDITIONAL USE PERMIT FOR A WASTEWATER TREATMENT PLANT AND ACCESSORY STRUCTURES AND USES

**WHEREAS**, a conditional use permit for a wastewater treatment plant, expansion of a wastewater treatment plant, two manufactured homes for employees, laboratory, building addition and a 600,000 gallon reclaimed water tank was previously approved on the subject property by Coconino County (UP-90-34, UP-96-01, UP-97-03 and CUP-07-039), with an expiration date of October 30, 2010; and

**WHEREAS**, on May 4, 2011, the Tusayan Town Council approved CUP-10-052 and Resolution No. 2011-05-04-01, that renewed subject conditional use permit subject to findings and conditions that included an expiration date of October 30, 2030 and

**WHEREAS**, the Planning and Zoning Commission of the Town of Tusayan has held a duly noticed public hearing on CUP2013-02 on March 26, 2013; and

**WHEREAS**, the Planning and Zoning Commission of the Town of Tusayan has determined that the findings for granting an amendment of a conditional use permit have been met;

**NOW, THEREFORE, BE IT RESOLVED** that the Tusayan Planning and Zoning Commission approves application, Case No. CUP2013-02, to amend a conditional use permit for a wastewater treatment plant and accessory structures and uses subject to the following findings and conditions:

- a. That the proposed location of the conditional use is in accord with the objectives of this Ordinance and the purpose of the zone in which the site is located.
- b. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- c. That the proposed conditional use will comply with each of the applicable provisions of this Ordinance.
- d. That the proposed conditional use is consistent with and conforms to the goals, objectives and policies of the Tusayan Area Plan.
- e. That this amendment shall expire the same date as CUP-10-052 or on October 30, 2030. An application to renew the Conditional Use Permit is required to be submitted prior to that date.
- f. Approval of a waiver of the required east side setback from 20 feet to 10 feet.
- g. Compliance with the site plan, elevation drawings and narrative letter dated February 21, 2013.
- h. Execution of a Proposition 207 Waiver regarding the granting of the reduced side setback.

**PASSED AND ADOPTED BY** the Chairman and Members of Planning and Zoning Commission of the Town of Tusayan, March 26, 2013.

**FOR THE PLANNING & ZONING COMMISSION**

**ATTESTED TO:**

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Robert Gossard, Chairman

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Melissa A. Malone, Town Clerk

**REVIEWED BY:**

**APPROVED AS TO FORM:**

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Tami Ryall, Interim Town Manager

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Bill Sims, Town Attorney